

**Town of Sheffield
Planning Board
Rules and Regulations**

Adopted: January 2, 2007

SECTION 1. GENERAL PROVISIONS

1.1 Purpose.

The following Rules and Regulations govern the conduct of the Town of Sheffield Planning Board. These Rules and Regulations work in concert with the *Town of Sheffield Zoning By-Laws* adopted December 4, 2006, as most recently amended. Hard copy of the *Town of Sheffield Zoning By-Laws* may be obtained for a fee from the Office of the Town Clerk or downloaded for free from the Town of Sheffield's web site (www.sheffieldma.gov).

SECTION 2. SPECIAL PERMITS

2.1 Application for Special Permit.

An applicant for a special permit shall submit to the Town Clerk three (3) copies of the Special Permit application form, a \$250 application fee in the form of a check or money order made payable to the Town of Sheffield and three (3) copies of a written description of the proposed use.

The description of the proposed use shall include the following information:

- a. A summary description of the proposed use, its location, purpose, and zoning district.
- b. A citation to sections of these zoning by-laws which apply to the special permit.
- c. A list of all state, federal, and local permits, licenses, and authorizations which are required for development, use, operation, and maintenance of the proposed use.
- d. A list of all abutters in accordance with MGL c. 40A, § 11.

2.2 Public Hearing.

The Special Permit Granting Authority shall hold a public hearing in conformance with the requirements of MG c. 40A.

2.3 Decision and Enforcement.

The Special Permit Granting Authority may approve, modify, or reject the application within ninety (90) days following the date of the public hearing for a special permit, unless by written agreement between the applicant and the Special Permit Granting Authority, such time limit is extended. The Special Permit Granting Authority shall issue a written statement of reasons for its decision. A decision to approve or modify an application before the Planning Board shall require an affirmative vote of four (4) members.

2.4 Site Plan Review

A. Application and Purpose.

Applicants for a Special Permit required under the provisions of the Town of Sheffield Zoning By-Laws as specified in Section 3.0 Use Regulations, shall, in addition to other required submissions, submit a Site Plan for review by the Planning Board as a part of the Special Permit review process. The purpose of site plan review is to assure that development proposals are consistent with the environmental and siting objectives of the Town of Sheffield. The site plan provides the basic information necessary for reasoned review by citizens and agencies of the town.

B. Site Plan Submission.

If a site plan review is required the applicant shall submit the following:

1. One (1) original mylar drawing of the site plan and six (6) contact prints. The prints

are to be dark line on white background. The original drawing will be returned after approval or disapproval.

2. Three (3) copies of the Planning Board's Site Plan Review Application Form. The applicant shall state in his application the time within which the required work on the ground will be completed.
3. The required Special Permit application fee of \$250.00 established by the Planning Board.
4. A location plan of the site at a scale of 1 inch = 200 feet (1" = 200') showing the relationship of the site to adjacent properties, ways, buildings, and landmarks.
5. A sketch plan, acceptable to the Planning Board, showing a prospective layout for any adjacent land owned or controlled by the owner or applicant.
6. A detailed development analysis, if required by the provisions of the Town of Sheffield Zoning By-laws.
7. The plan shall not be deemed to have been submitted until the application form, site plan, and fee herein required have been delivered to the Planning Board at a regular or special meeting. Receipt will be acknowledged by signature of a majority of the Planning Board on each copy of the application, two (2) of which will be returned to the applicant.

C. Site Plan Form.

The site plan shall be prepared by a registered engineer or surveyor and shall be clearly and legibly drawn at a scale of not less than 1 inch = 40 feet (1" = 40') on a material which is suitable for reproduction. If multiple sheets are used, an index sheet showing the entire site plan shall be provided.

D. Site Plan Content.

The site plan shall contain the following information:

1. Plan name, boundaries, true north point, date, scale, and zoning district(s).
2. Names and addresses of present record owner(s) and applicant and name(s) of the engineer and surveyor who prepared the plan; certificates and seals of the engineer and surveyor; and a certificate that all surveying conforms to the requirements of the Massachusetts Land Court.
3. Zoning district boundaries, if any.
4. Suitable space to record the action and the signatures of the Planning Board on each sheet of the site plan.
5. Major site features, such as existing stonewalls, fences, buildings, rock ridges, rock outcroppings, swamps, trees over twelve (12") inches in diameter, or the perimeter of heavily wooded areas.
6. Location of natural waterways, water bodies and wetlands within and adjacent to the site.
7. Existing and proposed topography of the land to be shown at five (5') foot intervals.
8. Size, material, type, and location of existing and proposed storm drains, utility services, septic or sanitary disposal systems, hydrants.
9. Existing and proposed layout of driveways, parking areas, storage and loading areas, buildings, structures, lighting and, signs, including locations, sizes and illumination.
10. Profiles of all buildings, structures, signs.
11. Landscape and maintenance plan.

SECTION 3. Detailed Development Analysis For Major Projects

3.1 Analysis

For each of the components of the Detailed Development Analysis listed under Section 3.2 below,

each of the following concerns must be separately addressed:

- A. The Environmental and Community Impacts of the Proposed use and/or Development. All primary and secondary environmental and community impacts, both beneficial and adverse, anticipated as a result of the proposed use and/or development. This section shall include all impacts resulting from the construction phase as well as those resulting from the project's completion.
- B. Adverse Impacts which cannot be avoided should the proposed use and/or development be implemented. The report shall describe the kinds and magnitudes of adverse impacts which cannot be reduced in severity or which can be reduced in severity, but not eliminated.
- C. Alternatives to the proposed use and/or development. The report shall develop, describe, and objectively weigh alternatives to the proposed use and/or development that are allowed by the Zoning By-law.
- D. Measures to be used to minimize adverse environmental and community impacts. Corrective and protective measures that will be taken as part of the project to minimize adverse impacts shall be described in detail.

3.2 Scope

The Detailed Development Analysis shall evaluate all of the following topics:

- A. Natural Environment
 - 1. Air and Noise Pollution: The impact of local air quality and noise from the proposed development (including traffic generated from the development), both during and after construction, shall be evaluated. The Planning Board may require detailed technical reports of such impacts.
 - 2. Water Pollution: The impact of storm water runoff on adjacent and downstream surface water bodies and sub-surface ground water shall be evaluated. Dangers of flooding as a result of increased downstream runoff, especially peak runoff, shall be addressed. The impact of the proposed project on water table levels shall also be analyzed.
 - 3. Land: Compatibility of the proposed development with existing soils; the impact of any soils or other materials to be removed from the site; and the potential dangers and impacts of erosion and sedimentation caused by the proposed development.
 - 4. Plants & Wildlife: The impact that the proposed project may have on wildlife habitat and on any rare or endangered plant or animal species known to exist in the area.
 - 5. Water Supply: The average and peak daily demand and the impact of such demands on groundwater aquifers and/or a public water system.
 - 6. Sewage Disposal: The average and peak daily disposal and the impact of such disposal on groundwater aquifers.
- B. Man-Made Environment
 - 1. Existing Neighborhood Land Use: Compatibility with adjacent or nearby existing land uses, or approved private development plans, if known, for adjacent or nearby land use changes to occur during the life of the proposed development. If not compatible, reasons therefore shall be detailed. Consultation with the Planning Board is strongly recommended.
 - 2. Zoning: Compatibility of proposed development with the purposes of the Zoning By-Law and the Zoning district.
 - 3. Architecture: The style of architecture of the buildings shall be described; its relation to prevailing types of architecture for similar buildings; and its compatibility with the function of the building and to the architecture of adjacent buildings. Sketches, photos, elevations and renderings are encouraged to illustrate architectural appropriateness as well as innovation.
- C. Public Services
 - 1. Schools: The expected impact on the school system both elementary and secondary levels, the number of students; projected school bus routing changes and projections of future

- school building needs resulting from the proposed project.
2. Police: The expected impact on police services, time and manpower needed to protect the proposed development and service improvements necessitated by the proposed development.
 3. Fire: Expected fire protection needs; on-site fire fighting capabilities; on-site alarm or other warning devices; fire-flow water needs, source and delivery system and other needs shall be presented. Fire department service improvements necessitated as a result of the proposed project shall also be discussed.
 4. Recreation: On-site recreation provisions shall be detailed and off-site recreation demands shall be estimated. Provision for public open space, either dedicated to the Town or available to its residents shall be described. Open space available primarily or exclusively for residents or employees shall also be described.
 5. Solid Waste Disposal: Analysis of the projected volume and type of solid waste to be generated by the proposed development and methods of removal.
 6. Traffic: The expected impact of traffic generated by the proposed development on area roadways. Discussion shall include existing average and peak traffic volumes and composition, projected average and peak traffic generation and composition, intersection impacts and analysis of area roadway and intersection capacities. Methodologies used to make projection shall be described in detail.
 7. Highway: Projected need, responsibility and costs to the Town of roadway maintenance shall be analyzed. Impacts of construction equipment on area roadways shall also be discussed.
- D. Aesthetics
1. Lighting: The type, design, location, function and intensity of all exterior lighting facilities shall be described. Attention given to safety, privacy, security, and daytime and nighttime appearance shall be detailed.
 2. Landscaping: Provisions for landscaping shall be described including type, location and function of all plantings and materials.
 3. Visual: Attention given to views into the site and from the site shall be described. Included shall be long-distance views as well as views to and from adjacent properties.
- E. Planning
- Analyze the compatibility of the proposed development and its alternatives with the goals and objectives of the most recent Master Plan, if any, and the most recent Open Space Plan.
- F. Cost/Benefit Analysis
- This municipal benefit/cost analysis should follow standard and usual procedures for measuring both the benefits to be derived and costs to be incurred by the Town of Sheffield as a result of the proposed development. This element should also estimate net benefits or costs of non-quantifiable environmental impacts.

SECTION 4. PERSONAL WIRELESS SERVICE FACILITIES, REPEATERS AND TOWERS

4.1. Application Requirements

No Facility, Repeater or Tower shall be erected, constructed, or installed or undergo Major Modification without first obtaining a Special Permit from the SPGA in accordance with the requirements of the Town of Sheffield Zoning By-Laws. One or both of two kinds of Special Permits are required:

1. For Facilities or Towers, a Facilities/Tower Special Permit (F/TSP) is required. Applicant must submit all information required in Section 4.1. A and B.
2. For all Repeaters proposed for installation, a Repeater Special Permit (RSP) is required.

A RSP may be applied for by an Applicant who is currently applying for a F/TSP under this Section, or by an Applicant who has previously received a F/TSP under this Section or by an entity that is providing Personal Wireless Services to the Town of Sheffield from a base station outside the Town of Sheffield. Applicant must submit all information required in Section 4.1.C.

If Applicant is applying for both kinds of Permits, they shall be submitted and examined concurrently.

A. Adequate Coverage, Adequate Capacity, and Justification of Need for F/TSP:

1. Applicant shall provide written documentation relating to any existing Facility Site(s) in the Town of Sheffield, and all other Facility Sites located within five miles of any boundary of the Town of Sheffield, whether or not it has a legal or equitable interest or other right of use with respect thereto. For each such Facility Site, Applicant shall demonstrate with written documentation that the Facility Site either is not already providing, or does not have the potential by adjusting the Site to provide, Adequate Coverage and/or Adequate Capacity to the Town of Sheffield. The documentation shall include, for each Facility Site listed:
 - a) exact Tower location (in longitude and latitude, to degrees, minutes, seconds),
 - b) ground elevation above mean sea level at the Tower location,
 - c) height of Tower or structure,
 - d) type, manufacturer and model number of Antennas,
 - e) Antenna gain,
 - f) height of Antennas,
 - g) output frequency,
 - h) number of channels,
 - i) power input and
 - j) maximum power output per channel.
 - k) potential adjustments to existing Facility Sites, including, but not limited to, changes in Antenna type, orientation, gain, height or power output shall be specified. If Applicant does not own or lease any of such Facility Sites, any other changes that would be required to enable such Facility Sites and the Tower thereon to be shared with Applicant shall be specified. Radial Plots from each of these Facility Sites, as they exist and with adjustments as above, shall be provided as part of the application.
2. Applicant shall demonstrate with written documentation that it has analyzed the feasibility of using Repeaters in conjunction with all existing Facility Sites listed in compliance with Section 4.1.A to provide Adequate Coverage and/or Adequate Capacity to the Town of Sheffield. Radial Plots of all Repeaters considered for use in conjunction with these Facility Sites shall be provided as part of the application.

B. Required Documentation for F/TSP (in addition to Section 4.1.A):

1. Documents which establish that the F/TSP is in compliance with all FCC licensing, environmental, and FAA requirements.
2. Documents which establish that the F/TSP is in compliance with the Massachusetts Department of Public Health requirements as set forth in 105 CMR 122, or successor requirements.
3. A written commitment (which will be binding on Applicant and all other persons and entities having or which may have an interest in the Facility Site or Tower or which have installed or may install Facilities on the Tower) to rent or lease Available Space for co-location on the Tower at fair-market prices and other terms, without discrimination to other Providers.
4. Satisfactory evidence that Facilities will be installed on the Tower and transmitting on a continuous and ongoing basis within a period of one year after completion of the Tower. If it is contemplated that one or more telecommunications Providers (other than Applicant) will use the Tower to provide Personal Wireless Service (in addition to or instead of Applicant), such evidence will include, without limitation, a copy of a lease or other contract with each such

Provider demonstrating that such Provider is committed to install and commence operation of Facilities on the Tower within such period. The SPGA may require that each such Provider join with Applicant in the application and provide such undertakings, documents and other information as Applicant is or may be required to provide under this by-law as the SPGA may reasonably specify.

5. Written permission from landowners and other relevant parties having an interest in the Facility Site, valid for so long as the Tower or Facilities are in existence, for representatives of the SPGA, and Independent Consultants and their respective designees, to conduct any site visits and inspections at the Facility Site reasonably determined by the SPGA to be necessary or desirable or otherwise to exercise the SPGA's or the Town of Sheffield's rights under this by-law.
6. The exact legal name, address, principal place of business, state of incorporation or organization (if not a natural person) and phone and fax numbers of the Applicant.
7. The name, address, phone and fax numbers, and written consent to apply for this Special Permit, of the owner, and any lessees or other users of the property on which the proposed Facility and/or Tower shall be located, or of the owner, and any lessees or other users of the Tower or structure on which the proposed Facility shall be located.
8. The documentation shall include the exact Tower location (in longitude and latitude, to degrees, minutes, seconds), ground elevation above mean sea level at the Tower location and proposed height of Tower or structure.
9. All required plans, including engineering plans, shall be prepared, stamped and signed by engineers licensed to practice in Massachusetts. Survey plans shall also be stamped and signed by a land surveyor licensed in Massachusetts. Plans shall be on 24" x 36" sheets, on as many sheets as necessary, and at scales which are no smaller (i.e. no less precise) than listed in Section 4.1.B. Each plan sheet shall have a title block indicating the project title, sheet title, sheet number, date, revision dates, scale(s), and original seal and signature of the engineer and other professionals who prepared the plan.
10. The following plans and maps are required:
 - For a proposed Facility Site: All plans will be at a scale no smaller than 1" = 40' (1:480 or metric equivalent 1:500) showing the entire vicinity within a 400' radius of the Tower site with topography drawn with a minimum of 2' (0.6 meter) contour interval. A Massachusetts licensed land surveyor must have completed the site plan on the ground within two years prior to the application date. The site plans must show the following:
 - i. Existing utilities, property lines, existing buildings or structures, stone walls or fence lines, wooded areas, individual trees with diameters greater than 12" within a 200' radius from the base of the proposed Tower (labeled with their current heights).
 - ii. The boundary of any wetlands or floodplains or watercourses, and of any bodies of water within 200' from the Tower or any related facilities or access ways or appurtenances.
 - iii. Proposed Tower location and any appurtenances, and any accessory building(s) (Communication Equipment Shelter or other). Indicate property boundaries and setback distances to the base(s) of the Tower and to the nearest corners of each of the appurtenant structures to those boundaries, and dimensions of all proposed improvements.
 - iv. Proposed spot elevations at the base of the proposed Tower and at the base of any guy wires, and the corners of all appurtenant structures.
 - v. Proposed utilities, including distance from source of power, sizes of service available and required, locations of any proposed utility or communication lines, and whether underground or above ground.
 - vi. Limits of areas where vegetation is to be cleared or altered, and justification for any such clearing or alteration.
 - vii. Any direct or indirect wetlands alteration proposed. Detailed plans for drainage of surface and/or sub-surface water and plans to control erosion and sedimentation both during construction and as a permanent measure are required.

- viii. Locations and specifics of proposed screening, landscaping, groundcover, fencing, etc; any exterior lighting or signs.
- ix. Proposed access driveway or roadway and parking area at the Facility Site. Indicate grading, drainage, traveled width, including a cross section of the access drive indicating the width, depth of gravel, paving or surface materials.
- b) For Proposed Tower and Appurtenances:
 - i. Plans, elevations, sections and details at appropriate scales but no smaller than 1" = 10'.
 - ii. Two cross sections through proposed Tower drawn at right angles to each other, showing the ground profile to at least 100 feet beyond the limit of clearing. Indicate proposed spot elevations at the base of the proposed Tower. Dimension the proposed height of Tower above average grade at the base of the Tower. Indicate the maximum allowable structural height of the Tower after addition of any modular sections. Show all proposed antennas, including their location on the Tower.
 - iii. Details of the proposed Tower foundation, including cross-sections and details. Show all ground attachments, specifications for anchor bolts and other anchoring hardware.
 - iv. Detail of proposed exterior finish and camouflage of the Tower.
 - v. Indicate relative height of the Tower to the tops of surrounding trees as they presently exist.
 - vi. Illustration of the modular structure of the proposed Tower indicating the heights of sections which could be removed or added in the future to adapt to changing communications conditions or demands.
 - vii. A Massachusetts licensed structural engineer's written description of the proposed Tower structure and its capacity to support additional Antennas or other communications facilities at different heights and the ability of the Tower to be shortened if future communications facilities no longer require the original height.
 - viii. A description of Available Space on the tower, providing illustrations and examples of the type and number of Facilities which could be mounted on the structure.
- c) For Proposed Communications Equipment Shelter:
 - i. Floor Plans, elevations and cross sections at a scale of no smaller than 1/4" = 1' (1:48) of any proposed appurtenant structure.
 - ii. Representative elevation views, indicating the roof, facades, doors and other exterior appearance and materials.
- d) For Proposed Equipment:
 - i. Plans, elevations, sections and details at appropriate scales but no smaller than 1" = 10'.
 - ii. Number of Antennas.
 - iii. Mounting locations on Tower or structure, including height above ground.
 - iv. Antenna type(s), manufacturer(s), model number(s).
 - v. For each Antenna, the Antenna gain and Antenna radiation pattern.
 - vi. Number of channels per Antenna, projected and maximum.
 - vii. Power input to the Antenna(s).
 - viii. Power output, in normal use and at maximum output for each Antenna and all Antennas as an aggregate.
 - ix. Output frequency of the Transmitter(s).
 - x. Radial Plots from the Facility Site.
- e) For Visibility Test:

If required by the SPGA, Applicant shall arrange to conduct a balloon, crane or other test as reasonably specified by the SPGA at the location of the proposed Tower that shall illustrate the height of the Tower. The dates, (including a second date, in case of poor visibility on the initial date), times and location of this test shall be determined by the SPGA, and shall be advertised, by the Applicant, at least 7 and 14 days in advance of the first test date in a newspaper with a general circulation in the Town of Sheffield.

C. Application Requirements for RSP:

The use of Repeaters to assure Adequate Coverage, or to fill holes within areas of otherwise Adequate Coverage, while minimizing the number of required Towers is permitted and encouraged. An Applicant who has received, and is in compliance with a current F/TSP under this Section, or an entity which is providing Personal Wireless Services to the Town of Sheffield from a base station outside the Town of Sheffield, may apply for a RSP. Applicants shall provide the following information:

1. Repeater configuration documentation:
 - a) Exact location (in longitude and latitude, to degrees, minutes, seconds), as well as by street address or Pole number (if applicable),
 - b) Ground elevation,
 - c) Type, manufacturer and model number of proposed Repeater,
 - d) Height of proposed Repeater above ground,
 - e) Proposed output frequency,
 - f) Proposed number of channels,
 - g) Proposed power input and
 - h) Proposed maximum power output per channel
 - I) Radial Plots from any proposed Repeater(s), configured as documented above, shall be provided as part of the application.
2. Name, address, phone number of, and written consent to apply for this application from, the owner of the property on which the proposed Repeater shall be located. Name, address, phone number of, and written consent to apply for this application from, the owner(s) of the Tower or structure on which the proposed Repeater shall be located.
3. Proposed Repeater Site layout, grading and utilities at a scale no smaller than 1" = 40' (1:480 or metric equivalent 1:500) showing the entire vicinity within a 300' radius of the Repeater site with topography drawn with a minimum of 2' (0.6 meter) contour interval.
4. Proposed Repeater location and any appurtenances, if any, and any accessory building (Communication Equipment Shelter or other). Indicate property boundaries of abutters within 300' of the Repeater, and dimensions of all proposed improvements.
5. Limits of areas where vegetation is to be cleared or altered, and justification for any such clearing or alteration.
6. Plans of any proposed access driveway or roadway and parking area at the Repeater site which address grading, drainage, and traveled width and include a cross section of the access drive indicating the width, depth of gravel, paving or surface materials. In addition, Applicant shall provide such other documents and information in connection with the application as the SPGA may reasonably request.

4.2. Fees

- A. Upon submission of a signed Special Permit application, an application fee shall be submitted to the Town of Sheffield in the amount of:
 1. \$3,500.00 for each Tower/Facility construction, or
 2. \$750.00 for each Repeater or subsequent co-location of, or on, a Facility.

SECTION 5. WATER SUPPLY PROTECTON DISTRICT

5.1 Special Permit Requirements

The applicant shall follow all special permit requirements contained in the Town of Sheffield Zoning By-Laws and and the appropriate Rules and Regulations. In addition to previously specified site plan requirements, the site plan shall include the following information:

- A. A complete list of chemicals, pesticides, herbicides, fuels or other potentially hazardous

materials to be used or stored on the premises in quantities greater than those associated with normal household use.

- B. Those businesses using or storing such hazardous materials shall file a hazardous materials management plan with the Planning Board, Fire Chief and Board of Health which shall include:
 - 1. Provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage or vandalism, including spill containment and clean up procedures.
 - 2. Provisions for indoor, secured, storage of hazardous materials and wastes with impervious floor surfaces.
 - 3. Evidence of compliance with the Regulations of the Massachusetts Hazardous Waste Management Act 310 CMR 30, including obtaining an EPA identification number from the DEP.
 - 4. Proposed down-gradient location(s) for ground water monitoring well (s) should the Planning Board deem the activity a potential groundwater threat.
- C. Drainage recharge features and provisions to prevent loss of recharge.
- D. Provisions to control soil erosion and sedimentation, soil compaction, and to prevent seepage from sewer pipes.

SECTION 6. SUBDIVISION OF LAND

Rules and Regulations Governing the Subdivision of Land in Sheffield, Massachusetts, adopted April 20, 1994, as most recently amended, also known as the Sheffield Subdivision Rules and Regulations may be obtained from the Office of the Town Clerk or the Town of Sheffield's web site (www.sheffieldma.gov). *Rules and Regulations Governing the Subdivision of Land in Sheffield, Massachusetts* govern the subdivision of land in the Town of Sheffield.